

REMARKS

Claims 2-4, 6, 8-19, 21-23, 25, 27-39, 56-61, 64-77 and 80-92 were presented for examination and were pending in this application. In an Official Action dated May 17, 2004, all pending claims were rejected. Applicants' representatives and Examiner held an interview on July 14, 2004, and agreement was reached on the claims. Applicants thank Examiner for taking the time to conduct this interview.

In accordance with MPEP 713.04, the content of this interview is reflected in this Office Action Response. Based on the above Amendment and the following Remarks, Applicants respectfully request that Examiner reconsider all outstanding rejections and withdraw them. Claim 34 has been amended to correct a typographical error and withdrawal of Examiner's rejection of this claim on the basis of 35 USC § 112, second paragraph, is respectfully requested. Claim 82 has been amended in order to comply with the language suggested by MPEP 2173.05(h) for Markush groups

Claims 6, 25, and 74 were rejected in the present Office Action under 35 USC §103 (a) as unpatentable over Pallakoff in view of Reuhl. These independent claims, and other claims 3, 18, 74, 82, 90, and 92 have been amended in order to clarify the invention and in accordance with the agreement reached during the July 14, 2004 interview. During the interview, the following partial proposed amendment to claim 6 was discussed:

automatically providing by the agent entity the suggested price quotation to at least a plurality of other ~~an~~ sellers for review, wherein the agent entity is independent of the sellers;

Examiner agreed that the elements of the partially amended claim were not disclosed or suggested by the art cited in the present Office Action. Accordingly, Applicants hereby amend independent claims 6, 25, and 74, and by extension, the claims that depend from them

in accordance with the spirit of the proposed amendment. Applicants believe the claims are now in a condition for allowance.

Remaining independent claims 8, 25, 27, 36, and 56 were rejected in the present Office Action under 35 USC §103(a) as unpatentable over Pallakoff in view of Skhedy.

Claim 8 discloses:

“verifying that a plurality of buyers in the group satisfy a predetermined requirements list that requires a plurality of buyers in the group to have a common employer, wherein the common employer is independent of the seller”;

and each of the other independent claims 25, 27, 36, and 56 contains a similar element. In the current and in previous Office Actions, Examiner has stated that Pallakoff does not disclose this element (see, e.g. p.13, Office Action) During the July 14, 2004 Interview, Examiner conceded that neither does Skhedy does not suggest or disclose this element. Nor does Reuhl suggest or disclose this element. At best Reuhl discloses, “a price exception may include an employee or family discount.” However this disclosure is quite clearly limited to a context wherein the employees are employees of the seller. The language of claim 8, in contrast, discloses “wherein the common employer is independent of the seller.” The claimed element is not disclosed by the art.

In sum, Applicants respectfully submit that the pending claims, as presented herein, are patentably distinguishable over the cited references (including references cited, but not applied). Therefore, Applicants request reconsideration of the basis for the rejections to these claims and request allowance of them. This amendment of the claims is made so as to more clearly define the invention, and not to narrow their scope of protection with respect to the prior art, or with respect to potentially infringing systems or products.

// In addition, Applicants respectfully invite Examiner to contact Applicants' representative at the number provided below if Examiner believes it will help expedite furtherance of this application.

Respectfully Submitted,
AMIR ALON *et al.*

Date: 7/19/04

By: 

Colleen V. Chien, Attorney of Record
Registration No. 55,062
FENWICK & WEST LLP
801 California Street
Mountain View, CA 94041
Phone: 415-875-2319
Fax: (650) 938-5200
E-Mail: cchien@fenwick.com